

MAR 30 2018

CLERK'S OFFICE
DETROIT

UNITED STATES DISTRICT COURT
ASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHARLES INGHAM,

Petitioner,

-vs-

JOSEPH BARRETT,

Respondent.

Case No. 2:15-cv-11074

Hon. David M. Lawson

Mag. David R. Grand

Asst. Atty. Gen. Bruce H. Edwards
Criminal Appellate-Division
P.O. Box 30217
Lansing, Michigan 48909

Charles Ingham, #825646
Cooper Street Correctional Facility
3100 Cooper St.
Jackson, Michigan 49201

DELAYED MOTION FOR RECONSIDERATION REGARDING

THIS COURT PREVIOUS DENIAL OF SAID BOND

NOW COMES, Charles Ingham, herein after known as the: Petitioner, proceeding in Propria Persona, moves this Honorable Court pursuant to 18 U.S.C. sec. 31143(b) and applicable Court Rules state:

1. Petitioner submitted his second Motion for Reconsideration for appellate bond on or around: January 1-11-2018 of which was returned to sender.

2. In addition, this facility mail room "open said in the absence of Petitioner when he's long since requested that "all legal mail be open directly in his presence."

3. Wherefore, Petitioner again submits said motion based on just cause and terms-as follows:

a. Petitioner submitted a timely motion for reconsideration absent a reply.

So he again submitted another on or around 1-11-2018 of which was returned to him absent any response."

b. Initially this Court denied said, in as much as its Honor wasn't persuaded that the reasons so cited merit such bond in spite of the merits of the pleadings. Therefore, Petitioner will again attempt endeavoring to set forth adequate grounds:

4. The overall circumstances shows that Petitioner was indeed deprived of a fundamental fair trial."

The record shows that both trial and appellate counsel were ineffective under U.S.Const. Amends VI, and XIV.

Trial Judge did not adequately control the proceedings as mandated under governing statute and laws of this state.

5. Undeniably, the prosecutor withheld exculpatory Brady material to wit: DNA Evidence of which would have caused the outcome of the case to have been different favoring petitioner."

6. Petitioner having claimed actual innocence applicable to Schlup v. Delo (collecting cases) Your Honor in this case it was consensual sex as on previous occasions.

Were Petitioner free he could doubtless obtain further evidence that would convince this Court of his innocence.

Thus, the facts does indeed entitle Petitioner to a new trial to preserve fundamental fairness.

The instructions under MCL 750.520(e)(1)(a) 4th is duplicitous with that of MCL 750.520(d)(1)(b) in view of 3rd degree in light of double jeopardy.

Hence, I am Father of a child under 18 who has special needs that truly require my overall support--therefore, Petitioner begs this Courts indulgence to not only reconsider, but Grant the instant Motion under the spirit of fundamental fairness.

Finally, theres other family members who are gravely "ill'that require my help and assistance-and would rely further upon the case laws of: Argo v. United States, 505 F.2d 1374 (2nd Cir. 1974); Landano v. Rafferty, 970 F2d. 1330, 1240, 3rd Cir. 1992); with Calley v. Collaway, 496 F2d 701, 702 (5th Cir. 1974).

SUMMARY AND RELIEF REQUESTED:

WHEREFORE, based on all of what is articulated herein, respectfully request that the instant Motion be, and that the same be hereby Granted forth with."

/s/ Harold Dugan

finis."

MICHIGAN DEPARTMENT OF CORRECTIONS

4835-3318

DISBURSEMENT AUTHORIZATION (EXPEDITED LEGAL MAIL - PRISONER)

CSJ-318 05/02

Please PRINT clearly illegible and/or incomplete forms will not be processed.

F-132
LockJCS
Institution

825646

Prisoner Number

Charles Ingram

Prisoner Name (Print Clearly)

☒ Legal Postage☐ Filing Fee \$☐ Certified Mail (Must Be a Court Ordered Requirement)☒ New Case☒ Case Number ~~9-15-11074~~

Pay To: mail Room / Assistant Attorney Gen.

Mailing Address: Crime Appellant Division

P.O. Box 30217

Lansing, MI 48909

The following section must be completed in Authorizing Staff Member's presence.

Prisoner Signature:

Charles Ingram

Date & Time Submitted:

1-11-2018 1:07PM

Received By

(Print Name & Title):

C. Steward R.

Staff Signature:

C. Steward

Date & Time Received by Authorizing Staff:

1/11/18 1:08PM

Authorization Denied:

☐ Does not meet definition of legal mail or court filing fee as identified in CFA OP 05.03.118.☐ Not hand delivered to authorizing staff member.☐ New case or case number not on form.☐ Does not include court order for handling as certified mail.☐ Other☐ Prisoner refused to sign & date in staff member's presence.

Section below to be completed by Mail Room Staff

Placed in Mail by

(Print Name & Title):

R. Howard

Signature:

R. Howard

Postage Amount: \$

.46

Date & Time placed in outgoing Mail:

1-12-18 830

Only Business Office Staff are to Write in the Section Below

2018 JAN 12 AM 8:07

| Obligation Amount | Actual Expense |
|-------------------|----------------|
| | |
| | |
| | |

☐ Court filing Fee Denied due to NSF.

Date Posted: _____

Date & Time Copy Sent to Prisoner: _____

Processed By

(Print Name & Title):

Signature: _____

DISTRIBUTION: White - Prisoner Accounting Canary - Prisoner Pink - Counselor's File Goldenrod - Prisoner

ORIGINAL.

March 16-2018

U.S District Court
Eastern District of Michigan
Theodore Levin U.S. Courthouse
431 W.Laffayette Blvd.
Detroit, Michigan 48226

Re: Charles Ingham v. Joseph Barrett

Case No. 2:15-cv-11074

Hon. David M. Lawson

Mag. David R. Grand

Dear Clerk:

Enclosed, please find Petitioner's Delayed Third request for Reconsideration/W/Copy of Motion for Appellate Bond pursuant to 18 U.S.C. sec. 3143(b) which he respectfully request that you file with this Court for its immediate consideration. Further find Certificate For Mailing here with attesting that a "true copy of same has been served upon Opposing Counsel of record via U.S. Prepaid Postage.

Your Cooperation will be appreciated.

MR. CHARLES INGHAM, #825646

/s/ Charles Ingham
Petitioner in Pro Per
COOPER STREET CORRECTIONAL FACILITY
3100 Cooper St.
Jackson, Michigan 49201

CERTIFICATE FOR MAILING:

I, the undersigned Petitioner do hereby Certify that on March 17 2018, I did mail one "true copy of Motion for Reconsideration for Appellate Bond to Counsel of record respective address via expedited Postage Legal mail loan services.

/s/ Charles Ingham

Executed On: 2-17-18.

Charles Ingram

825646

Cooler Street Correctional Facility

3100 Cooper Street

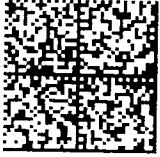
Jackson, Michigan 49201

MEMPHIS
TN 38103
23 MAR 18
PM 4:11

U.S. POSTAGE >> PITNEY BOWES



ZIP 49201 \$ 000.47⁰
02 4M
0000344107 MAR 20 2018



Honorable David M. Lawson, Magistrate Judge David R. Grand
U.S District Court, Eastern District of Michigan
Theodore Levin United States Courthouse
231 W. Lafayette Blvd.
Detroit, Michigan 48226

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U.S. DISTRICT COURT